

SEWER EASEMENT

FOR AND IN CONSIDERATION of the sum of One Dollar (\$1.00), in hand paid and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Jane V. Chavis, as Trustee for the Jane V. Chavis Revocable Living Trust, hereinafter referred to as "Grantor", does hereby grant, bargain, sell and convey unto the City of Olive Branch, its successors and assigns, hereinafter referred to as "Grantee", the right, privilege and easement at any time and from time to time to construct, maintain, inspect, operate, protect, repair, replace, change the size of, or remove a pipeline, pipelines and other appurtenances for operation of the City Sewage System, within the confines of an area described in Exhibit 1, which is attached hereto and made a part hereof as if fully copied herein, together with reasonable access thereto.

TO HAVE AND TO HOLD said easement and reasonable access thereto unto said Grantee, its successors and assigns temporarily, where noted, and permanently, where noted in Exhibit 1.

It is agreed that the pipeline or pipelines to be laid under this grant shall be constructed at sufficient depth below the surface of the ground to permit normal cultivation, and Grantor shall have the right to fully use and enjoy the above described premises, subject to the rights herein granted.

As additional consideration it is agreed that Grantor shall be entitled to receive a waiver of one sewer tap on the property over which this Easement is granted.

Grantee shall have the right to clear and keep clear all trees, undergrowth and other obstructions from the herein granted easement, and Grantor agrees not to build, construct or create, nor permit others to build, construct or create any buildings or other structures on the herein granted easement that will interfere with the normal operation and maintenance of the said line or lines.

Grantor hereby expressly agrees that in the event the route of the pipeline to be constructed hereunder should cross any roads, railroads, creeks, rivers or other waterways located on the above described land or other places requiring extra working space, Grantee shall have the right and temporary access to additional working space which may be necessary for construction.

Grantor represents that the above described land is not rented at the present time.

The terms and conditions hereof shall be binding upon and inure to the benefit of the heirs, executors, administrators, devisees, successors, trustees or assigns of the parties hereto, and the rights herein granted may be assigned in whole or in part.

IN WITNESS WHEREOF the said Grantor has hereunto set its hand and seal, this 6th day of October, 2001.

JANE V. CHAVIS REVOCABLE LIVING TRUST

BY: Jane V. Chavis
JANE V. CHAVIS, Trustee

Witnessed By:

A. S. Davis

STATE MS.-DE SOTO CO.
FILED

JUN 5 11 37 AM '02

APPROVED AND ACCEPTED by the
City of Olive Branch

By: Samuel P. Rikard
SAMUEL P. RIKARD, MAYOR

ATTEST:

Judy C. Herrington
JUDY C. HERRINGTON, CITY CLERK

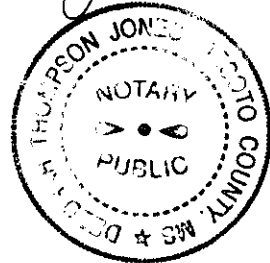
STATE OF MISSISSIPPI
COUNTY OF DESOTO

Personally appeared before me, the undersigned authority in and for the said county and state, on this 8th day of October, 2000, within my jurisdiction, A. G. Davis, one of the subscribing witnesses to the above and foregoing instrument, who, being first duly sworn, states that he saw the within named Jane V. Chavis, whose name is subscribed thereto, sign and deliver the same as Trustee under the Jane V. Chavis Revocable Living Trust, after first having been duly authorized so to do, to the City of Olive Branch and acknowledge that he in said capacity executed the above and foregoing instrument, after first having been authorized so to do; and that the affiant subscribed his name as witness thereto in the presence of same.

A. G. Davis
Witness

Dwight Thompson Jones
NOTARY PUBLIC

My Commission Expires
MY COMMISSION EXPIRES MARCH 21, 2003
BONDED THRU STEGALL NOTARY SERVICE



STATE OF MISSISSIPPI
COUNTY OF DESOTO

Personally appeared before me, the undersigned authority in and for the said county and state on this 15th day of May, 2002, within my jurisdiction, the within named Samuel P. Rikard and Judy C. Herrington, who acknowledged that they are the Mayor and City Clerk, respectively, of the City of Olive Branch, and that in said representative capacity they executed the above and foregoing instrument, after first having been duly authorized so to do.

Seanna Wagner
NOTARY PUBLIC

My Commission Expires:
My Commission Expires May 20, 2003

PREPARED BY AND RETURN TO: Gary P. Snyder, Watkins Ludlam Winter & Stennis, P.A.,
P.O. Box 1456, Olive Branch, MS 38654, 662-895-2996.

**JANE V. CHAVIS REVOCABLE
LIVING TRUST
DEED BOOK 256, PAGE 131**

EXHIBIT 1

Being a portion of Lot 1, Section "A", Quail Hollow Subdivision, lying in Section 24, Township 1 South, Range 7 West, City of Olive Branch, Desoto County, Mississippi, as recorded in Plat Book 23, Pages 1-2 in the Desoto County Chancery Clerk's, Desoto County, Mississippi, and being more particularly described as follows:

PERMANENT UTILITY EASEMENT

Being a 5 foot wide strip of land and having a centerline described as follows: Beginning a point, said point being approximately 7.50 feet south of the northeast property corner of subject property as measured along the east line of subject property; thence in a westerly direction parallel to the north property line of subject property a distance of approximately 92.83 feet to a point; thence continuing in a westerly direction and parallel to said north line a distance of approximately 40.13 feet to a point, said point being approximately 7.50 feet south of the north property line and containing 665 square feet more or less.

TEMPORARY CONSTRUCTION EASEMENT

Being a 20 foot wide strip of land parallel and adjacent to the south and west sides of the above described permanent utility easement and containing 3,187 square feet more or less.

164.92'

290.45

EXIST. 5.00'
UTIL. ESMT.

5' PERMANENT UTILITY ESMT.

-20' TEMPORARY CONST.
ESMT.

0.13'

-92.83'

92.75'

7.50'

LOT 10

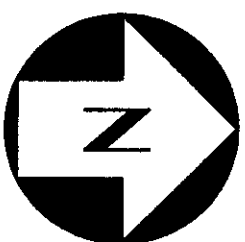
LOT 8

PROPERTY OF:
JANE V. CHAVIS REVOCABLE
LIVING TRUST
BK. 256, PG. 131
LOT 1

381.73'

LOT 2

167.35'



SCALE: 1" = 60'

EASEMENT REQUIRED:

| <u>UNENCUMBERED:</u> | <u>ENCUMBERED:</u> |
|----------------------|--------------------|
| PERM: 665 S.F. | PERM: 0.0 S.F. |
| TEMP: 3,187 S.F. | TEMP: 0.0 S.F. |

EXHIBIT NO. 1

SHEET 1 OF 1

THE CITY OF OLIVE BRANCH, MISSISSIPPI
DESOTO COUNTY

QUAIL HOLLOW SEWER IMPROVEMENT

UTILITY EASEMENT

THIS PROPERTY IS LOCATED IN SECTION 24
TOWNSHIP 1 SOUTH, RANGE 7 WEST
DESO TO COUNTY, MISSISSIPPI

| NO. | DESCRIPTION | DATE | BY |
|-----|-------------|------|----|
|-----|-------------|------|----|

PREPARED BY: F&A BK. 256, PG. 151 TRACT: CHAVIS
DRAFTSMAN: B.S. DATE: NOV., 2000

This Instrument Prepared by:

Charles A. Pinkham, Jr.
42 South McLean Blvd.
Memphis, Tennessee 38104

STATE MS.-DE SOTO CO. P.
 FILED

MAR 30 10 41 AM '93

RECORDED
 DEED BOOK
 PAGE
 W.E. DAVIS CH. CLK.

QUIT CLAIM DEED

KNOW ALL MEN BY THESE PRESENTS, that Jane V. Chavis, for and in consideration of the sum of \$1.00, does hereby bargain, sell, release, remise and convey unto Jane V. Chavis, Trustee of the Jane V. Chavis Revocable Living Trust, all of her right, title and interest in and to the following described real property, commonly described as 8590 Pleasant Hill Road, Olive Branch, MS. 38654, and more particularly described as follows:

Said Real Property is described as set forth on the attached Exhibit "A" specifically incorporated hereat by this reference

The herein above described land is conveyed subject to road rights of way, public utility easements, zoning and subdivision regulations, and health department regulations in effect in Desoto County, Mississippi; restrictive covenants of Section A, Quail Hollow Subdivision as set out on plat of said subdivision recorded in Plat Book 23, page 1-2; covenants, limitations and restrictions which are to run with the land in the same manner and for the same time as restrictions on said recorded plat of subdivision.

The transfer described in this QUIT CLAIM DEED is being made for the purposes of estate planning only and specifically to hold title by the Grantee herein, Jane V. Chavis, in her capacity as Trustee of her Living Trust, rather than in her capacity as an individual.

IN TESTIMONY WHEREOF, the Grantor, Jane V. Chavis has hereunto set her hand on the 26th day of March, 1993.

Jane V. Chavis
 JANE V. CHAVIS

STATE MS.-DE SOTO CO. 256
 FILED

APR 8 10 00 AM '93

RECORDED 4-8-93
 DEED BOOK 256
 PAGE 131
 W.E. DAVIS CH. CLK.
 by: Guadalupe

STATE OF TENNESSEE

COUNTY OF SHELBY

On the 26th day of March, 1993, before me the undersigned Notary Public, personally appeared Jane V. Chavis, personally known to me to be the person whose name is subscribed to this instrument and acknowledged that she executed it.

Notary Public Barbara H. Gillespie

My Commission Expires: My Commission Expires January 26, 1994

Grantor Information: Jane V. Chavis, 8590 Pleasant Hill Road, Olive Branch, MS.; (601) 895-5135 (b) none

Grantee Information: Jane V. Chavis Trustee of the Jane V. Chavis Living Trust, 8590 Pleasant Hill Road, Olive Branch, MS., (601) 895-5135 (b) none

Mail Tax Notice to: Jane V. Chavis, Trustee of the Jane V. Chavis Living Trust, 8590 Pleasant Hill Road, Olive Branch, Desoto County, MS.

I hereby swear and affirm that to the best of my knowledge, information and belief, the actual consideration for this transfer is \$1.00; the herein described transfer being a transfer for purposes of estate planning only.

Barbara H. Gillespie
Affiant

Subscribed and sworn to before me this the 26th day of March, 1993 by the Affiant.

Notary Public Barbara H. Gillespie

My Commission Expires: My Commission Expires January 26, 1994

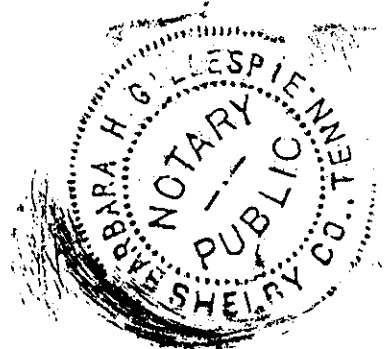


EXHIBIT "A"

TO

QUIT CLAIM DEED

Lots 1 and 2, in Section A of Quail Hollow Subdivision as shown on plat of record in Plat Book 23, pages 1-2, in the Chancery Court Clerk's office of DeSoto County, Mississippi, to which recorded plat reference is made for a more particular description. Said lots being situated in Section 24, Township 1, Range 7 West, and further being described as the same land conveyed to the Grantors herein by Warranty Deed dated July 8, 1985, and recorded in Book 179, Page 289 of the deed records of DeSoto County, Mississippi.